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& ENGLISH**  
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200368



May 3, 2012

**VIA EMAIL AND OVERNIGHT DELIVERY**

Walter Mugdan, Director  
Emergency and Remedial Response Division  
United States Environmental Protection Agency, Region 2  
290 Broadway – 19th Floor  
New York, New York 10007

Re: Standard Chlorine Chemical Co. Inc. Superfund Site

J. Forrest Jones  
Partner  
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fjones@mccarter.com

Dear Mr. Mugdan:

On behalf of Thermo Fisher Scientific Inc. (Thermo Fisher), please accept this response to the General Notice Letter dated March 13, 2012 (GNL) issued to Thermo Fisher with respect to the Standard Chlorine Chemical Co. Inc. Site in Kearny, New Jersey (Site). Thermo Fisher is disappointed that the USEPA issued the GNL. We respectfully request that the USEPA consider the points set forth in this letter before taking any further action in this matter.

At the most fundamental level, the GNL erroneously stated that Apogent Technologies, Inc., a Thermo Fisher subsidiary, is the corporate successor to The Tanatex Chemical Corporation (Tanatex), which operated a textile chemical formulating business at two leased buildings at the Site from 1954 to 1963. Even if this were true, it would not justify identifying Thermo Fisher – a separate corporate entity – as a PRP with respect to the Site. However, as set forth in more detail below, this is simply not true. Thermo Fisher's CERCLA §104(e) Response (Response) established with concrete documentary evidence that Tanatex's actual corporate successor is Apogent Transition Corporation (ATC). ATC is a separate corporate entity whose stock is indirectly held by Thermo Fisher. Moreover, ATC has no assets (except possible insurance rights) and has conducted no business since at least the 1990's. These circumstances must be taken into account if the USEPA contemplates that any Thermo Fisher subsidiary may have any future funding role with respect to the Site.

Moreover, there is no evidence that any hazardous substance was released on the leasehold of Tanatex during the period of its operation at the Site. The Response described in detail the material handling practices of Tanatex at the Site based on the personal recollection of the President and Vice President of Tanatex during the relevant period. The Response not only reported their statements that Tanatex did not create industrial waste or release chemicals, but explained why this was the case in light of the nature of Tanatex's business (simple mixing operations, performed inside, under close and careful supervision)

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The July 21, 2011 letter submitted by the Group of Cooperating Parties (PRPs) to the USEPA as a supposed rebuttal to Thermo Fisher (PRP Letter) offers not one shred of evidence to contradict any statement in the Response. All the PRPs can offer is aggressive, but empty, rhetoric and their assertion that "conventional knowledge regarding housekeeping and chemical management procedures during the period of interest" suggests releases occurred. PRP Letter, at 2. However, "conventional knowledge" is not evidence. Moreover, if such an understanding truly represents "conventional knowledge", then the convention is faulty. Environmental records document that many chemical formulating businesses operate today much the same way as Tanatex did – mixing chemicals in interior production spaces – and never experience any releases to the environment. A well-managed formulating business in the 1950's, such as Tanatex, obviously could have done the same.

In their Letter, the PRPs spend most of their effort, not on the factual statements in the Response (which they are obviously without evidence to contradict), but rather on the assertions in this firm's letter that accompanied the Response (Cover Letter) – which pointed out that the environmental conditions of Lot 50 of the Site (the portion of the Site containing the two buildings leased by Tanatex) can be explained entirely by the operations of Standard Chlorine Chemical Company and its subsidiary Chloroben Chemical Corp. (collectively, SCCC). We take this opportunity to show (as set forth below) that the contentions of the PRPs in this regard are inaccurate, irrelevant and/or completely unsupported. However, as an initial matter, it is important to note that the inferences to be drawn (or not drawn) from the environmental sampling data are a secondary matter. The primary issue is whether any evidence exists that a disposal of hazardous substances occurred on the Tanatex leasehold during the period of its operation. As already noted, because no such evidence exists, Tanatex's successor cannot be liable for the current conditions of the Site under CERCLA §107(a)(2).

Thermo Fisher's subsidiary Apogent Technologies is not a successor to Tanatex

As noted above, the GNL erroneously states that Apogent Technologies is a successor to Tanatex. As was carefully described in the Response, in 1970, Tanatex merged into a New York corporation named Sybron Corporation. It is particularly important to keep the corporate lineage straight to note that this was a corporation of the State of New York. Response, Exhibit C. In 1986, this Sybron Corporation – a New York corporation – merged into Sybron Transition Corp. Response, Exhibit D. In 2002, Sybron Transition Corp. changed its name to ATC. Response, Exhibit E.

The confusion in the GNL arises from its statement that "Sybron Corporation ... merged into Sybron International Corp., which in turn, changed its name to Apogent Technologies Inc." GNL, at 1-2. However, the Sybron Corporation that merged into Sybron International Corp. was a Delaware corporation. Moreover, this merger occurred in 1994, eight years after the Sybron Corporation relevant to the Tanatex lineage – the New York corporation – merged into Sybron Transition Corp. *Articles of Merger of Sybron Corporation, a Delaware Corporation, into Sybron International Corporation, a Wisconsin Corporation* (Jan. 25, 1994), attached hereto as Exhibit A.

As the corporate documents referenced above make clear, the corporate successor of Tanatex is ATC, not Apogent Technologies.

The PRPs' attack on Thermo Fisher's Response is unwarranted

Thermo Fisher expended a great deal of effort to research, prepare and carefully document its responses to the questions posed by the USEPA in its CERCLA §104(e) request. We believe that the detailed Response Thermo Fisher submitted reflects this effort. Perhaps frustrated that the Response does not convey the story they were hoping to read, the PRPs' "rebuttal" letter indulges in hyperbolic rhetoric attacking the Response as "misleading ... overreaching, speculative and inaccurate ... [and] an attempt to obfuscate." PRP Letter, at 2. This rhetoric conveys no information and is not conducive to a productive dialogue and exchange of perspectives. This is particularly so in light of the fact that the Response was based on solid evidence (and candidly stated where this evidence was unavailable) whereas (as shown below), the PRP Letter is based on unsupported or irrelevant assertions.

Contrary to PRPs' insinuations, Thermo Fisher accurately characterized SCCC's use of Dichlorobenzene on Lot 50

The weaknesses of the PRPs' technical arguments are highlighted by the fact that they begin with an attack on the use of the word "processing" in the Cover Letter to describe Standard Chlorine's operations on Lot 50. They contend that Standard Chlorine "never processed any DCB [Dichlorobenzene] or TCB [Trichlorobenzene] in any building on Lot 50." PRP Letter, at 3-4.

This is a semantic tempest in a teapot. As an initial matter, whatever SCCC did with DCB on Lot 50, it at least sometimes called these actions "processing." As SCCC's subsidiary Chloroben stated in its 1993 ISRA filing relating to Lot 50 "from 1962 to 1982, Standard Chlorine Chemical Co. ('SCC') processed bulk dichlorobenzenes to make paradichlorobenzenes solids and liquid technical orthodichlorobenzene at the site." Chloroben, *Site Evaluation Submission, Description of Past Operations*, p. 1 (June 14, 1993), attached hereto as Exhibit B (emphasis added).

Perhaps the PRPs mean that SCCC never performed chemical reactions to synthesize DCB on Lot 50. If so, this is irrelevant. Whether described as "processing" or not, SCCC clearly handled and spilled significant quantities of DCB on Lot 50, which is the reason DCB has been found in the soil of Lot 50 at concentrations up to 11,800 ppm. *Remedial Investigation Report (RIR)*, Table 5-6, p. 5-22 (1993). The semantic hairsplitting is meaningless. There can be no question that SCCC contaminated portions of Lot 50 with DCB – whatever word is used to describe its operations there.

PRPs cite no credible environmental evidence of a release of TCB by Tanatex on Lot 50

Thermo Fisher's Cover Letter pointed out that the environmental sampling data from Lot 50 suggests that TCB is present on the Site due to releases of DCB handled by SCCC (in which traces of TCB would have been present). This is because TCB is found

on Lot 50 only where DCB is also found in much higher concentrations. Moreover, where TCB and DCB are found together in meaningful concentrations in the soil of Lot 50, the concentration of TCB as a percentage of the total of TCB+DCB is below 3%, about what might be expected based on literature regarding the concentration of TCB traces in commercial DCB. Cover Letter, p. 5.<sup>1</sup>

In response, the PRPs accuse Thermo Fisher of attempting to mislead the USEPA by ignoring the sampling results from sample location SB-2A reported in Table 5-6 of the 1993 RIR, in which (PRPs claim) TCB represents 30% of the combined TCB+DCB. However, the PRPs are relying on data that are utterly meaningless because they are all estimated concentrations below detection limits. In presenting their argument, the PRPs significantly altered the data relating to SB-2A from how they actually appear in the RIR. As the highlighted excerpt from Table 5-6 shown below clearly indicates, all of the TCB and DCB concentrations reported for sample location SB-2A are estimated "J" values, which are only about half or less than half of the samples' stated "D.L." (detection limit).

TABLE 5-6  
SUMMARY OF ANALYTICAL DATA  
SOIL BORINGS  
VOLATILE AND SEMIVOLATILE ORGANICS  
SCCC, KEARNY, NJ

LAB NUMBER SAMPLE NUMBER	HA3563 MW-2L		CB2169 SB-2A		CB2170 SB-2B		CB2177 SB-3A	
	CONC.	D.L.	CONC.	D.L.	CONC.	D.L.	CONC.	D.L.
<b>VOC's (ug/kg)</b>								
Chloroethane	ND	1100	ND	13	ND	71000	ND	1400
Acetone	NA	NA	16	13	4300 J	71000	ND	1400
2-Butanone	NA	NA	ND	13	ND	71000	450 J	1400
1,1,1-Trichloroethane	ND	400	ND	13	ND	71000	360 J	1400
Carbon Tetrachloride	ND	300	ND	13	ND	71000	ND	1400
Benzene	ND	470	ND	13	48000 J	71000	320 J	1400
1,2-Dichloroethene	NA	NA	ND	13	ND	71000	ND	1400
Chlorobenzene	BMDL	640	ND	13	220000	71000	15000	1400
Toluene	NA	640	1 JB	13	960 J	71000	160 J	1400
Xylene	NA	NA	ND	13	ND	71000	ND	1400
Tetrachloroethene	ND	440	3 J	13	ND	71000	ND	1400
Styrene	NA	NA	ND	13	ND	71000	ND	1400
<b>BNA's (ug/kg)</b>								
1,2-Dichlorobenzene	1140	460	6800 J	13000	9200000	1200000	400000	12000
1,3-Dichlorobenzene	833	460	3500 J	13000	1300000	1200000	410000	12000
1,4-Dichlorobenzene	1290	1100	3400 J	13000	1300000	1200000	430000	12000
Naphthalene	3220	350	5300 J	13000	ND	1200000	ND	12000
2-Methylnaphthalene	NA	NA	6600 J	13000	ND	1200000	ND	12000
1,2,4-Trichlorobenzene	ND	460	6000 J	13000	2400000 J	1200000	34000	12000

However, in the table on page 7 of the PRP Letter (purportedly containing data taken from Table 5-6) the PRPs omitted the "J" that appears next to each concentration of TCB or DCB reported for sample SB-2A, as shown above.

Obviously, no meaningful conclusions can be drawn by calculating ratios of low-level concentrations that are estimated values, well below the detection limit and therefore, by definition, incapable of accurate quantification. All that can be reliably stated is that there were some concentrations of both TCB and DCB in sample SB-

<sup>1</sup> Of particular significance, this pattern is observed in sample SB-2B collected from an area adjacent to the west side of Building 2 – an area used by Keaton or Crown Rubber Company during Tanatex's period of operation (and therefore completely inaccessible to Tanatex), but used to formulate drain cleaners containing DCB during Standard Chlorine's long tenure. Standard Chlorine, *CERCLA §104(e) Response*, p. 6 (July 21, 2008). The Building 2 soil sampling results establish beyond dispute that the DCB which SCCC released on Lot 50 contained TCB in relatively low concentrations.

2A. The PRPs' effort to draw meaningful conclusions from the analyses of this sample by ignoring the qualifiers placed on these data is invalid and inappropriate.<sup>2</sup>

The PRPs also claim that sediment data from the drainage ditch that traverses the center of the Site contradict Thermo Fisher's contentions because they show TCB concentrations up to 16% of TCB+DCB. However, although the PRPs tendentiously refer to this ditch as the "Lot 50 drainage ditch," this ditch historically received SCCC's wastewater discharges, rendering sediment data from the ditch completely meaningless to the question of whether TCB was released by Tanatex on Lot 50. Indeed, the PRPs particularly rely upon samples from sample locations 3 and 4 collected during the RIR. However, the RIR specifically states that "[l]ocations 3 and 4 were near the head of the two ditch branches" and that location "3 is near the NPDES outfall." *RIR*, p. 4-14. The RIR elsewhere states that "SCCC also estimated that 1,500 pounds per year of 1,2,4-trichlorobenzene were released in air emissions and 5,000 pounds per year were released in wastewater discharge." *RIR*, p. 1-7 (emphasis added). The existence of TCB releases on Lot 50 obviously cannot be inferred based on samples of sediment from a ditch that was impacted by significant TCB releases from operations on other parts of the Site.<sup>3</sup>

The PRPs also cite soil analysis data that they claim were collected "during the barrier wall alignment investigation" from a location that appears to be near the property boundary of Lot 50. They claim these data show TCB at concentrations of 1.8% to 15% of Total DCB+TCB. However, the PRPs have not supplied the report that purportedly presented these data from BW-18A, which limits our ability to comment upon them. No reliance should be placed upon these unverified sampling results.

In any event, the PRPs fail to explain how Tanatex could have been responsible for TCB in a location on the border of the Seacoast site that is hundreds of feet from the two buildings it leased on Lot 50. In the absence of any evidence of how TCB from Tanatex could have reached a location so remote from its operations, the barrier wall sample BW-18A provides no evidence of a Tanatex contribution to the TCB present on Lot 50.

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<sup>2</sup> We note that the concentration of TCB in sample SB-2B from Building 2 upon which we relied is also an estimated concentration below method detection limit. However, unlike the PRPs, Thermo Fisher clearly indicated this data qualifier (J) and its meaning in the table that appears on page 5 of the Cover Letter. Moreover, for purposes of the point made in the Cover Letter, the fact that this TCB concentration is an estimated value is completely irrelevant. The DCB concentrations in that sample were relatively high (11,800 ppm) and were not estimated. On the other hand, the estimated TCB concentration was relatively low (240J ppm). Whether this TCB value is higher or lower than the true value by half (or more) would not alter the fundamental point made by the comparison: TCB is present on Lot 50, but only at a fraction of the DCB concentration, as would be expected at a DCB spill site.

<sup>3</sup> The PRPs also state – without citation to any evidence of any kind – that the septic systems in Buildings 1 and 3 used by Tanatex discharged to this ditch. PRP Letter, at 8. However, Thermo Fisher in its Response referred to Edison engineering drawings that showed that these buildings discharged to septic tanks. Response, at 23, Exhibit R. The PRP's baseless assertions should be entirely discounted.

Even if there were some locations on Lot 50 where the concentration of TCB in soil relative to DCB is significantly higher than the typical concentrations of TCB in technical grade DCB (~1.6% -- USEPA, *Support Document, Health Effects Test Rule: Chlorinated Benzenes*, Table 2, p. 22 (June 1980)), this would still not constitute proof of a release of TCB by Tanatex. There are at least two reasons for this. First, as the PRPs themselves assert "DCB isomers are significantly more water-soluble, and consequently less adsorptive, than TCB." PRP Letter, p. 9. Accordingly, a gradual increase in the concentration of TCB relative to DCB in soil is exactly what one would expect as the DCB was subject to greater flushing away by water movement through the soil column over time. In soil more subject to water movement or with a greater affinity for binding TCB, the skewing of concentrations toward TCB would be more pronounced. This may be what occurred in the case of Sample BW-18A.

Moreover, there is an alternative plausible explanation for the presence of TCB on Lot 50: releases of the TCB products processed by SCCC. Although, to our knowledge, SCCC has not acknowledged the use or release of TCB or TCB-related wastes on Lot 50, Standard Chlorine obviously released significant quantities of TCB on Lot 49 of the Site (where TCB was detected in soil at concentrations up to 75,000 ppm). It is certainly plausible that at some time over the more than 25 years during which SCCC operated the entire Site, it took some action that intentionally or inadvertently moved a small amount of TCB from Lot 49 onto Lot 50. While this is entirely speculative at this time, the PRP Group engages in an equal degree of speculation in attributing releases to Tanatex based on nothing more than "conventional knowledge." At the very least, the possibility that SCCC moved some used equipment, containers or debris containing residual TCB from its processing area on Lot 49 to Lot 50 is no more remote than the possibility that well-run Tanatex for some reason chose to dump its valuable products onto the Site. In short, as stated in our Cover Letter, there is no reason to invent a release from the operations of Tanatex in order to explain the environmental conditions of Lot 50.<sup>4</sup>

Thermo Fisher wishes to reiterate that it does not rely on the ratios between TCB and DCB in the environmental sampling data from Lot 50 to establish that no release of hazardous substances from the operations of Tanatex occurred. Instead, Thermo Fisher relies on the affirmative information presented in its Response that Tanatex did not conduct its operations in such a manner that would have led to such a release and the complete absence of any properly cognizable evidence establishing anything to the contrary.

Thermo Fisher showed that nothing in the environmental sampling data necessitates the conclusion that a predominately TCB-containing product was ever released on Lot 50, particularly any product associated with Tanatex's operations in

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<sup>4</sup> The PRPs go on at great length to assert that the highly skewed concentrations of TCB and DCB in the groundwater of Lot 50 (TCB as % of TCB+DCB of 0.15% to 0.4%) could be the result of various contaminant fate and transport considerations. At this time, Thermo Fisher does not take a position on the PRPs' assertions because they are irrelevant. The key point is that, like the soil sampling data from Lot 50, there is nothing in the groundwater sampling data that requires a release of a TCB product on an area of Lot 50 used by Tanatex to explain the ratios between DCB and TCB that are observed.

Buildings 1 and 3. Nothing presented by the PRPs in their Letter contradicts this conclusion.

The PRPs' other contentions regarding the operations of Tanatex are erroneous

The PRP Letter contains a number of additional inaccurate and unsupported characterizations of the operations of Tanatex and Thermo Fisher's Response. It would unnecessarily burden this letter to note all of these inaccuracies. The failure of Thermo Fisher to directly contradict any of these statements should not be regarded as an admission. However, we address a few of these assertions below.

The PRPs inaccurately contend that the Response does not state how Tanatex addressed wastes from its operations on the Site. PRP Letter, at 2. First, the Response stated (and quoted in detail the explanation of Tanatex's President of the basis for this statement) that "the production operations that Tanatex used in Kearny did not create any by-products that became solid or liquid wastes requiring disposal." Response, at 15. The Response acknowledged that "Tanatex would have generated ordinary, non-hazardous trash similar to any commercial operation" and stated that Tanatex did not engage in any on-site disposal of such wastes. *Id.*, at 21. Accordingly, the PRP's assertion is simply empty and inaccurate rhetoric.

Without citation to any evidence, the PRPs make the unsupported assertion that Tanatex's operations would have necessitated "frequent vessel cleanings between batch operations." PRP Letter, at 2. To the contrary, the Response quoted a statement by the President of Tanatex that the material adhering to the side of a mixing tank "was squeegeed into the last, incomplete drum which, in turn, would be added to the next finished batch of the product." Response, at 15. The PRPs ignore this statement to invent a story that they apparently wish were true.

For some reason, the PRPs make the point that the TCB that Tanatex may have purchased from Hooker Chemical contained only 97% 1,2,4-TCB and attempt to imply that the remaining 3% may have been DCB. PRP Letter, at 5. As an initial matter, the PRPs' characterization of the Hooker specification sheet is inaccurate. 97% of 1,2,4-TCB is identified on the sheet as the product's minimum concentration. Moreover, the sheet goes on to state that the typical concentration of 1,2,3-TCB (as opposed to 1,2,4-TCB) is 2.3%. Contrary to PRPs' contention, this leaves only 0.7% or less of the product (not 3%) that could constitute non-TCB materials, including DCB.

However, the more significant point is that this is entirely irrelevant. The issue raised by Thermo Fisher in the Cover Letter and contested by PRPs is whether anything in the environmental sampling data from Lot 50 establishes that a release of a TCB product took place. The fact that TCB used by Tanatex may have contained up to 0.7% DCB cannot shed any light on whether releases of a TCB product took place. Lot 50 was contaminated with DCB because SCCC indisputably spilled significant amounts of it. Because of this, the presence of DCB in soil obviously cannot be a "marker" for TCB releases on the Site. Like its quibbling over our use of the word "processing" to describe SCCC's operations, PRPs here are raising red herring arguments to try to confuse the valid points we presented in the Cover Letter.

Finally, the PRPs raise further unproductive arguments regarding the estimates of chemical usage that Thermo Fisher presented in the Response. Thermo Fisher provided these estimates in a good faith effort to comply with the USEPA's §104(e) request; it believes that they are reasonable and stands by them. It is not necessary here to answer the PRPs contentions regarding these estimates; needless to say, Thermo Fisher disputes them.

However, it is easy to see why these estimates are distasteful to the PRPs because they make clear that Tanatex's impact on the Site could be no more than *de minimis*, even if the PRPs speculative contentions that Tanatex dumped its products on the Site were true.

The following table compares the usages of Chemicals of Concern naphthalene, DCB and TCB (COC) at the Site by the PRPs' predecessors and by Tanatex, as disclosed by §104(e) response and environmental reports.

Company	Usage of Chemicals of Concern (tons/yr)			Years of Use	Total COC Use (tons)	% of Total Use
	Naphthalene	DCB	TCB*			
White Tar	6,300 <sup>5</sup>	unknown	unknown	1916-1933 (18) <sup>6</sup>	113,400	21%
Koppers <sup>7</sup>	9,300-16,000 Mean: 12,600	600-900 Mean: 750	unknown	1934-62 (29)	387,150	72%
SCCC <sup>8</sup>	unknown	1,250	750	DCB: 1963-81 (19) TCB: 1970-80 (11)	32,000	6%
Tanatex	n/a	n/a	100-192 Mean: 146	1954-1963 (10)	1,460	0.3%
Total					534,010	

\*Not including the trace TCB present in the DCB handled by Koppers and SCCC.

This simple table reflects a number of simplifying assumptions. For one thing it overstates the relative responsibility of these parties because it ignores the contribution to the conditions of the Site related to the chromium ore processing residue generated by Diamond Shamrock and its predecessors, as well as any contribution by the battery manufacturer Emark Battery Corp. (Cooper Industries). Moreover, these chemical usage estimates necessarily vastly overstate the relative contribution by Tanatex to the conditions of the Site because it does not account for the fact that Tanatex (at the very least) did not discharge the chemicals it used as part of its regular operations (indeed, had no documented releases at all). On the other hand, the other parties listed in the table released large quantities of the

<sup>5</sup> White Tar's annual naphthalene usage is assumed to be one-half of the mean of Koppers' 1954 usage range. This estimate is employed for illustration purposes only. The actual values could be higher or lower.

<sup>6</sup> Beazer East, *CERCLA §104(e) Responses*, at 3.

<sup>7</sup> *Id.*, at 3-4, 9 and Table 7. It should be noted that Beazer stated "the estimated volumes of materials used are based upon documents prepared in the early 1950s, and may or may not be representative of volumes of chemicals used at the Site before or after that period." *Id.*, at 9.

<sup>8</sup> *RIR*, at 1-7. The estimated chemical use volumes and period of use do not include the unstated volume of DCB that SCCC "brought to the site in tank trucks and blended with an emulsifier" between 1981 and 1987. *Id.*



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chemicals they used as a regular part of their operations. SCCC alone acknowledged discharging 12,600 pounds/year of waste to its on-site lagoons and 5,000 pounds/year of TCB in its wastewater. *RIR*, at 1-7.

The table set forth above is not intended to be a finely-tuned estimate of the relative contribution of the respective responsible parties. However, it does not need to be to make its point. No matter how these numbers are shaken and stirred and even if it were assumed that Tanatex released chemicals at a rate in any way comparable to the regular operational discharges of the other historical chemical operators on the Site (despite the lack of evidence that Tanatex discharged any hazardous substances at all), Tanatex's share of responsibility for the environmental conditions of the Site would still have to be accounted as *de minimis*.

Thermo Fisher's willingness to engage in further dialogue with the PRPs

As noted above, Thermo Fisher and ATC do not regard the aggressive posturing of the PRPs in the PRP Letter to be a productive method of initiating a dialogue among the parties regarding the Site. Nevertheless, Thermo Fisher and ATC remain willing to engage in a dialogue with the PRPs to determine if there is any mutually satisfactory basis by which any possible claims by the PRPs against ATC could be resolved. However, any such resolution must take into account the lack of evidence that Tanatex released any hazardous substances into the environment of the Site, its *de minimis* share of chemical usage in comparison to the other parties at the Site, the recognition that ATC is the corporate successor to Tanatex and the unique circumstances presented by ATC's financial status. Alternatively, we would be interested in hearing a direct discussion with Region 2 regarding these matters.

Thermo Fisher appreciates your consideration of the matters set forth in this letter. If you have any questions concerning these matters, we would be pleased to provide additional information.

Very truly yours,



J. Forrest Jones

JFJ:pp/enclosures

cc: Leena Raut, EPA  
Alison Hess, EPA  
Margaret Kelly, Esq., Standard Chlorine Chemical Corporation, Inc.  
Lori Mills, Esq., Tierra Solutions, Inc. and Occidental Chemical Corporation  
Charles McChesney II, Esq., Beazer East, Inc.  
Gary Gengel, Esq., Cooper Industries, LLC  
Davon Collins, Esq., Cooper Industries, LLC

Exhibit A



6/91

# United States of America

STATE OF WISCONSIN

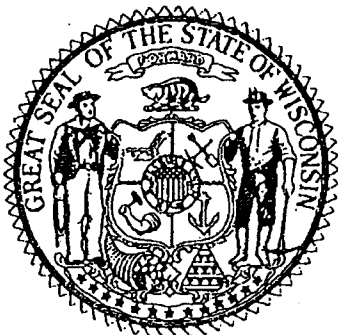
OFFICE OF THE  
SECRETARY OF STATE

SS.

To All to Whom These Presents Shall Come, Greeting:

I, DOUGLAS La FOLLETTE, Secretary of State of the State of Wisconsin and Keeper of the Great Seal thereof, do hereby certify that annexed copy has been compared by me with the document on file in this Office and that the same is a true copy thereof; and that I am the legal custodian of said document, and that this certification is in due form.

IN TESTIMONY WHEREOF, I have  
hereunto set my hand and affixed  
the Great Seal of the State.



*Douglas La Follette*  
DOUGLAS La FOLLETTE  
Secretary of State

BY: *Robert Kania*

DATE: JAN 26 1994

Corporation Division



STATE  
OF WISCONSIN

01 JAN 26 09:32

02 5038925  
(60m)

ARTICLES OF MERGER  
OF  
SYBRON CORPORATION, A DELAWARE CORPORATION  
INTO  
SYBRON INTERNATIONAL CORPORATION, A WISCONSIN CORPORATION  
01 5044747

The undersigned corporation hereby executes the following Articles of Merger:

1. The names of the corporations which are parties to the Merger and the states in which such corporations are organized are as follows:

Sybron Corporation, a Delaware corporation

Sybron International Corporation, a Wisconsin corporation

2. The surviving corporation shall be Sybron International Corporation, which shall be governed by the laws of the State of Wisconsin.

3. The Agreement and Plan of Merger is attached as Exhibit A.

4. The Agreement and Plan of Merger was approved by Sybron International Corporation in accordance with Section 180.1103 of the Wisconsin Business Corporation Law.

5. The Agreement and Plan of Merger was approved by Sybron Corporation in accordance with Section 252 of the Delaware General Corporation Law.

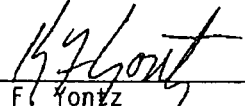
6. In accordance with the Agreement and Plan of Merger, the Merger is effective upon the later of (a) 5:00 o'clock p.m., Milwaukee, Wisconsin time, on January 31, 1994, or (b) the later of the filing of Articles of Merger with the office of the Wisconsin Secretary of State and the filing of a Certificate of Merger with the office of the Delaware Secretary of State.

JAN 27 12:00PM  
#. #  
130887 DCORP-MI 100.00  
JAN 27 12:00PM  
#. #  
130888 EXPED 25 25.00

IN WITNESS WHEREOF, the undersigned corporation has caused these Articles of Merger to be executed in its name this 25<sup>th</sup> day of January, 1994.

SYBRON INTERNATIONAL CORPORATION,  
A WISCONSIN CORPORATION

By: \_\_\_\_\_

  
Kenneth F. Tonz  
Chairman of the Board,  
President and Chief  
Executive Officer

This instrument was drafted by  
Kathryn M. Coates, Esq.

**EXHIBIT A**  
**AGREEMENT AND PLAN OF MERGER**

THIS AGREEMENT AND PLAN OF MERGER, is made and entered into as of this 10th day of December, 1993, by and between Sybron International Corporation, a Wisconsin corporation (the "Surviving Corporation"), and Sybron Corporation, a Delaware corporation (the "Merging Corporation"). The Merging Corporation and the Surviving Corporation are sometimes collectively referred to herein as the "Constituent Corporations."

**Recitals**

The Merging Corporation is a Delaware corporation having authorized capital consisting of 100,000,000 shares of Common Stock, \$0.01 par value per share, of which 23,170,613 shares were issued and outstanding as of December 1, 1993, 10,000,000 shares of Nonvoting Common Stock, \$0.01 par value per share, none of which are issued and outstanding, and 20,000,000 shares of Preferred Stock, \$0.01 par value per share, none of which are issued and outstanding.

The Surviving Corporation is a Wisconsin corporation having authorized capital consisting of 110,000,000 shares of Common Stock, \$0.01 par value per share, of which 100 shares are issued and outstanding, all of which are owned by the Merging Corporation, and 20,000,000 shares of Preferred Stock, \$0.01 par value per share, none of which are issued and outstanding.

The Merging Corporation and the Surviving Corporation have determined it to be advisable for the Merging Corporation to merge with and into the Surviving Corporation (the "Merger") pursuant to the applicable provisions of the Wisconsin Business Corporation Law ("WBCL") and the Delaware General Corporation Law ("DGCL") on the terms hereinafter set forth, and the Boards of Directors of the Merging and Surviving Corporations have each approved and adopted this Agreement and Plan of Merger and authorized the execution hereof.

The parties intend that this Agreement be a plan of reorganization within the meaning of Section 368(a) of the Internal Revenue Code of 1986, as amended (the "Code"), and that the Merger be a tax free reorganization under Section 368(a) of the Code.

**Plan of Merger**

In consideration of the premises, the parties hereto adopt and make this Agreement and Plan of Merger and prescribe the terms and conditions of such Merger and the manner of carrying the same into effect, which shall be as follows:

1. Effective upon the later of (a) 5:00 p.m., Milwaukee time, on January 31, 1994, or (b) the later of the filing of Articles of Merger with the office of the Wisconsin Secretary of State and the filing of a Certificate of Merger with the office of the Delaware Secretary of State (such time and date, or filing, as the case may be, being referred to herein as the "Effective Date"), the Merging Corporation shall be merged with and into the Surviving Corporation.

2. The manner and basis of converting the issued and outstanding shares of the Merging Corporation's stock and the outstanding stock options granted under the Merging Corporation's 1988 Stock Option Plan, 1990 Stock Option Plan, 1993 Long-Term Incentive Plan and 1994 Outside Directors' Stock Option Plan (collectively, the "Option Plans") into shares of stock and stock options of the Surviving Corporation shall be as follows:

(a) At the Effective Date, each of the shares of stock of the Merging Corporation issued and outstanding or held as treasury shares on the Effective Date shall, without any action on the part of either of the Constituent Corporations or any holder of such shares, be converted into an equal number of fully paid and nonassessable shares of the Common Stock of the Surviving Corporation (subject to the liability under Section 180.0622(2)(b) of the Wisconsin Statutes).

(b) Each stock certificate which, prior to the Effective Date, represented issued shares of the Merging Corporation shall be and become on the Effective Date a certificate representing an identical number of shares of Common Stock of the Surviving Corporation, automatically by virtue of the Merger and without any action on the part of the holder thereof.

(c) Each stock option granted by the Merging Corporation (under the Option Plans of the Merging Corporation) and outstanding immediately prior to the Effective Date shall, by virtue of the Merger and without any action on the part of the holder thereof, be converted into and become a stock option to purchase, upon the same terms and conditions, the number of shares of the Surviving Corporation's Common Stock (subject to further adjustment as may be provided in the Option Plans) which is equal to the number of shares of the Merging Corporation's Common Stock which the holder thereof would have received had such holder exercised the option in full immediately prior to the Effective Date (whether or not such option was then exercisable). The price per share payable upon exercise of each of said options shall (subject to future adjustments as may be provided in the Option Plans) be equal to the exercise price per share thereof immediately prior to the Effective Date. A number of shares of the Surviving Corporation's Common Stock shall be reserved for issuance upon the exercise of options outstanding or available for future grants under the Option Plans equal to the number of shares of the Merging Corporation's Common Stock so reserved immediately prior to the Effective Date.

The Option Plans, and all outstanding stock options thereunder, shall immediately prior to the Effective Date of the Merger be automatically amended to the extent necessary to permit continuance of the Option Plans and continuance and conversion of said stock options into those of the Surviving Corporation following the Merger as provided herein, notwithstanding any provisions heretofore contained in such Option Plans and such outstanding stock options governing the effect of a merger of Sybron Corporation in which Sybron Corporation is not the surviving corporation (recognizing that the purpose of the Merger is solely to effect a change in corporate domicile from Delaware to Wisconsin).

3. At the Effective Date, all of the shares of stock of the Surviving Corporation issued and outstanding immediately prior to the Effective Date shall be canceled and returned to the status of authorized but unissued shares.

4. On the Effective Date, each employee benefit plan and incentive compensation plan to which the Merging Corporation is then a party (including, without limitation, the Option Plans) shall be assumed by, and continue to be the plan of, the Surviving Corporation. To the extent any employee benefit plan or incentive compensation plan of the Merging Corporation or any of its subsidiaries provides for the issuance or purchase of, or otherwise relates to, the Merging Corporation's Common Stock, after the Effective Date such plan shall be deemed to provide for the issuance or purchase of, or otherwise relate to, the Surviving Corporation's Common Stock upon the same terms and conditions.

5. The officers and directors of the Surviving Corporation on the Effective Date shall be and continue to be the officers and directors of the Surviving Corporation thereafter until their successors are duly appointed or elected.

6. The Articles of Incorporation and Bylaws of the Surviving Corporation, as they exist immediately prior to the Effective Date, shall remain in effect as the Articles of Incorporation and Bylaws of the Surviving Corporation thereafter, unaffected by the Merger.

7. On the Effective Date, the Merging Corporation shall be merged with and into the Surviving Corporation, which shall continue its corporate existence under the laws of the State of Wisconsin. The effect of the Merger shall be as provided in this Agreement and Plan of Merger and the applicable provisions of the WBCL and the DGCL. The separate existence and corporate organization of the Merging Corporation shall cease upon the Effective Date, and the Surviving Corporation shall possess all of the rights, privileges, immunities and franchises, of a public as well as of a private nature, of each of the Constituent Corporations; and all property, real, personal and mixed, and all debts due on whatever account, including subscriptions to shares, and all other choses in action, and all and every other interest.

of or belonging to or due to each of the Constituent Corporations, shall be taken and deemed to be transferred to and vested in the Surviving Corporation without further act or deed; and the title to any real estate, or any interest therein, vested in either of the Constituent Corporations shall not revert or be in any way impaired by reason of such Merger. The Surviving Corporation shall thenceforth be responsible and liable for all the liabilities and obligations of each of the Constituent Corporations, and any claims existing or action or proceeding pending by or against the Constituent Corporations may be prosecuted to judgment as if such Merger had not taken place. Neither the rights of creditors nor any liens upon the property of either Constituent Corporation shall be impaired by the Merger.

8. This Agreement and Plan of Merger shall be submitted to the shareholders of each of the Constituent Corporations hereto in accordance with the applicable provisions of law, and the consummation of the Merger herein provided for is conditioned upon the approval and adoption hereof by the shareholders of the respective parties as provided by law.

9. This Agreement and Plan of Merger and the Merger herein contemplated may be abandoned by the Board of Directors of either of the Constituent Corporations at any time prior to the Effective Date. This Agreement may be amended, modified or supplemented at any time (before or after shareholder approval) prior to the Effective Date with the mutual consent of the Boards of Directors of the Merging Corporation and the Surviving Corporation; provided, however, that this Agreement may not be amended, modified or supplemented after it has been approved by the Merging Corporation's shareholders in any manner which, in the judgment of the Board of Directors of the Merging Corporation, would have a material adverse effect on the rights of the Merging Corporation's shareholders or in any manner not permitted under applicable law.

IN WITNESS WHEREOF, the parties have caused this Agreement and Plan of Merger to be executed by their duly authorized officers, all as of the day and year first above written.

SYBRON CORPORATION,  
a Delaware corporation

By: /s/ Kenneth F. Yontz  
Chairman of the Board, President  
and Chief Executive Officer

Attest: /s/ R. Jeffrey Harris  
Secretary

SYBRON INTERNATIONAL CORPORATION,  
a Wisconsin corporation

By: /s/ Kenneth F. Yontz  
Chairman of the Board, President  
and Chief Executive Officer

Attest: /s/ R. Jeffrey Harris  
Secretary



merges: Sybion Corporation (Licensed Foreign) (Non-  
Inc.)

into: Sybion International Corporation (Domestic)  
(Sumner)

\$100.00 + \$25.00 Exp

STATE OF WISCONSIN  
FILED

JAN 26 1994

DOUGLAS LA FOLLETT  
SECRETARY OF STATE

Susan Barber  
Gardner & Brady  
411 E. Wisconsin Ave  
Milwaukee WI 53202-4477

Note:  
merges  
effective  
1-31-94

Need Certificate  
of Mergers from  
Delaware SOS  
office.

Exhibit B



RECEIVED JUN 16 1993

**LOWENSTEIN, SANDLER, KOHL, FISHER & BOYLAN**

A PROFESSIONAL CORPORATION

COUNSELLORS AT LAW

65 LIVINGSTON AVENUE

ROSELAND, NEW JERSEY

07068-1791

TELEPHONE (201) 992-8700

FACSIMILE (201) 992-5920

SOMERVILLE OFFICE

TELEPHONE (608) 526-3300

FACSIMILE (608) 526-9173

ALAN V. LOWENSTEIN  
RICHARD M. SANDLER  
BENEDICT M. KOHL  
ARNOLD FISHER  
JOSEPH LEVOW STEINBERG  
MATTHEW P. BOYLAN  
BRUCE D. SHOULSON  
JOHN R. MACKAY 2ND  
MARTIN R. GOODMAN  
JOHN D. SCHUPPER  
STEPHEN N. DERNER  
MICHAEL L. RODBURG  
ALLEN B. LEVITHAN  
R. BARRY STIGER  
GREGORY B. WEILLY  
PETER H. EHRENBERG  
STEVEN B. FUERST  
THEODORE V. WELLS, JR.  
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JOHN L. KRAFT

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LAURA R. KUNTZ  
ROBERT D. CHESLER  
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KEVIN ROVACS  
JOHN L. BERGER  
DAVID W. FIELD  
MARTHA L. LESTER  
LINDA PICKERING  
JOHN D. HOGBOOM  
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RICHARD P. BOEHMER  
OF COUNSEL

PHYLLIS F. PASTERNAK  
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JOHN M. NOLAN  
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KAREN E. KOSTER  
KENNETH RICARDO PERRY  
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JOSEPHINE FARRELL-BETZ  
EDWARD T. ARNOLD  
HAROLD S. ATLAS  
THOMAS E. MESEVAGE  
WILLIAM G. CONNOLLY, III  
JOYCE A. DAVIS  
AMY R. BITTERMAN  
MICHAEL DAVID LICHTENSTEIN  
HOWARD A. NATALON  
ALICE K. SMALL  
BRIAN WEEKS  
EDWARD M. ZIMMERMAN  
AMY C. GROSSMAN  
RICHARD A. LEVITAN  
MAUREEN E. MONTAGUE  
GAVIN J. RODNEY  
JEREMY I. SILBERMAN  
MAXIM A. THORNE

June 15, 1993

**CERTIFIED MAIL/**  
**RETURN RECEIPT REQUESTED**

Industrial Site Evaluation Element  
Division of Responsible Party Site  
Remediation  
New Jersey Department of Environmental  
Protection and Energy  
401 East State Street, Fifth Floor  
CN 028  
Trenton, NJ 08625-0028

ATTENTION: Initial Notice

Re: Cloroben Chemical Corporation  
1035 Belleville Turnpike  
Kearny, Hudson County  
Block 287, Lot 50  
ECRA Case #93261

Dear Sir or Madam:

Enclosed please find the original and two copies of the Site Evaluation Submission for the above-referenced facility. Also enclosed is the Initial Notice review fee in the amount of \$750.00, and a fully completed Fee Submittal Form.

As discussed in my April 27, 1993 transmittal letter for the General Information Submission, the site presently is undergoing investigation pursuant to an Administrative Consent Order dated October 20, 1989

TX BAR ONLY\*  
CA BAR ONLY\*\*  
DC BAR ONLY\*\*\*  
NY BAR ONLY\*\*\*\*

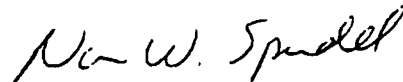
New Jersey Department of Environmental  
Protection and Energy

June 15, 1993

Page 2

("ACO") which requires the investigation and remediation, if necessary, of the site. The site remedial activities are being overseen by the Bureau of State Case Management, Joseph Karpa, Case Manager. Inasmuch as site remedial activities are being performed in accord with NJDEPE technical requirements under NJDEPE oversight, we respectfully request that the Department determine the Initial Notice to be complete without the submission of a sampling plan, and merge this case with the ongoing Bureau of State Case Management proceeding.

Yours very truly,



Norman W. Spindel

NWS:es

Enclosure

cc: Margaret Wiener, Esq. (w/ enc.) ✓  
Mr. Joseph Karpa (w/o enc.)

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
INDUSTRIAL SITE EVALUATION ELEMENT  
ENVIRONMENTAL CLEANUP RESPONSIBILITY ACT (ECRA)

FEE SUBMITTAL FORM

THIS FORM MUST BE RETURNED WITH ANY APPLICATION OR FILING

Case # (if known) 93261  
Case Name (Active Cases) Cloroben Chemical Corporation  
Name of Business/Owner for Applicability Determination \_\_\_\_\_  
Check drawn from account of Lowenstein, Sandler Check/M.O.# 3075  
Amount enclosed \$750.00

PUT AN "X" IN THE APPROPRIATE PAYMENT BLOCK(S)

Normal Fee	ACTIVITY	Small Business Fee
<input type="checkbox"/> \$ 2,000	<u>Initial Notice Review</u>	
<input type="checkbox"/> \$ 3,000	without a Sampling Plan	\$ 750 <input checked="" type="checkbox"/>
<input type="checkbox"/> \$ 5,000	with Sampling Plan with UGT analysis. No GW monitoring	\$ 1,500 <input type="checkbox"/>
<input type="checkbox"/> \$ 7,500	with Sampling Plan other than 2 above or 4 below	\$ 3,000 <input type="checkbox"/>
<input type="checkbox"/> \$ 1,000	with Sampling Plan that includes GW monitoring	\$ 4,500 <input type="checkbox"/>
<input type="checkbox"/> \$ 500	Sampling Data Review	\$ 1,000 <input type="checkbox"/>
	Negative Declaration Review	\$ 250 <input type="checkbox"/>
	<u>Cleanup Plan Review</u>	
	(Based on Cost)	
<input type="checkbox"/> \$ 1,000	\$1 - \$9,999	\$ 1,000 <input type="checkbox"/>
<input type="checkbox"/> \$ 2,500	\$10,000 - \$99,999	\$ 2,500 <input type="checkbox"/>
<input type="checkbox"/> \$ 5,000	\$100,000 - \$499,999	\$ 5,000 <input type="checkbox"/>
<input type="checkbox"/> \$ 8,000	\$500,000 - \$999,999	\$ 8,000 <input type="checkbox"/>
<input type="checkbox"/> \$11,000	over \$1,000,000	\$11,000 <input type="checkbox"/>
	<u>Cleanup Oversight Plan</u>	
	(Based on Cost)	
<input type="checkbox"/> \$ 1,000	\$1 - \$9,999	\$ 1,000 <input type="checkbox"/>
<input type="checkbox"/> \$ 3,000	\$10,000 - \$99,999	\$ 3,000 <input type="checkbox"/>
<input type="checkbox"/> \$ 7,000	\$100,000 - \$499,999	\$ 7,000 <input type="checkbox"/>
<input type="checkbox"/> \$10,000	\$500,000 - \$999,999	\$10,000 <input type="checkbox"/>
<input type="checkbox"/> \$12,000	over \$1,000,000	\$12,000 <input type="checkbox"/>
	<u>Other</u>	
<input type="checkbox"/> \$ 200	Applicability Determination	\$ 200 <input type="checkbox"/>
<input type="checkbox"/> \$ 300	Deminimus Quantity Exemption	\$ 300 <input type="checkbox"/>
<input type="checkbox"/> \$ 500	Limited Conveyance Review	\$ 250 <input type="checkbox"/>
<input type="checkbox"/> \$ 2,000	Administrative Consent Order	\$ 2,000 <input type="checkbox"/>
<input type="checkbox"/> \$ 500	Amendment to ACO	\$ 500 <input type="checkbox"/>
<input type="checkbox"/> \$ 350	Confidentiality Claim	\$ 350 <input type="checkbox"/>

OFFICE USE ONLY

BEAC No. \_\_\_\_\_

LOWENSTEIN, SANDLER, KOHL, FISHER & BOYLAN, P.A. A PROFESSIONAL CORPORATION ATTORNEY BUSINESS ACCOUNT		3075
PAY TO THE ORDER OF <u>NJDEP</u>	<u>June 15, 93</u> 6-15/93	\$750.00
THE SUM <u>750 DOLS 00 CTS</u>		DOLLARS
FOR <u>STANDARD PHOTOCOPY (65577-2)</u>	<u>Curklee</u>	AUTHORIZED REPRESENTATIVE
#003075# #031200730# 01217506#		

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DIVISION OF HAZARDOUS WASTE MANAGEMENT  
INDUSTRIAL SITE EVALUATION ELEMENT  
CN 028, TRENTON, N.J. 08625

ENVIRONMENTAL CLEANUP RESPONSIBILITY ACT (ECRA)

INITIAL NOTICE

**SITE EVALUATION SUBMISSION (SES)**

This is the second part of a two-part application form. This information must be submitted within 45 days following any applicable situation as specified at N.J.A.C. 7:26B-1.5 or any triggering event as specified at N.J.A.C. 7:26B-1.6. Please refer to the instructions and N.J.A.C. 7:26B-3.2 before filling out this form. Answer all questions. Should you encounter any problems in completing this form, we recommend that you discuss the matter with a representative from the Element. Submitting incorrect or insufficient data may cause processing delays and possible postponement of your transaction. Please call (609) 633-7141 between the hours of 8:30 a.m. and 4:30 p.m. to request assistance.

**PLEASE PRINT OR TYPE**

Date June 14, 1993

1. **Industrial Establishment**

Name Cloroben Chemical Corporation  
(a wholly-owned subsidiary of Standard Chlorine Chemical Co., Inc)  
Address 1035 Belleville Turnpike

City or Town Kearny Zip Code 07032

Municipality \_\_\_\_\_ County Hudson

A. **Operational and Ownership History:** (Attach additional sheets if necessary)

<u>Name</u>	<u>Owner/ Operator</u>	<u>From</u>	<u>To</u>	<u>Current Address</u>
<u>See Attachment 1</u>	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

B. **Brief description of past operation(s) conducted on site** (Attach additional sheets if necessary)

See Attachment 2

2. List all federal and state environmental permits applied for, or received, or both, at this facility (Attach additional sheets if necessary)

Check here if no permits are involved \_\_\_\_\_

A. New Jersey Bureau of Air Pollution Control

Permit Number	Certificate Number	Date of Approval or Denial	Reason for Denial (If applicable)	Expiration Date
See Attachment	3			

B. New Jersey Pollutant Discharge Elimination System (NPDES)

Number	Discharge Activity	Date Issued or Denied	Expiration Date	Body of Water Discharged Into
NJ0001856	DSW	12/12/85	1/31/91*	Hackensack River

\*Renewal application filed August 1990

- C. United States Environmental Protection Agency (EPA) Identification Number and copy of the most recent generator Annual Report prepared pursuant to the New Jersey Hazardous Waste Regulations. (If applicable)

ID # NJD002175057

Is a copy of the Annual Report attached? X Yes (See Attachment # 4)      No

D. Resource, Conservation, Recovery Act (RCRA) Permit # N/A

E. Bureau of Underground Storage Tank Registration Number(s) N/A

F. All other federal, state, local governmental permits.

Agency Issuing Permit	Permit No.	Date of Approval or Denial	Expiration Date

3. Summary of Enforcement Actions for Violation of Environmental Laws or Regulations:

Check here if no enforcement actions are involved \_\_\_\_\_

A. Date of Action 1986-1993

Section of Law or Statute violated NJ Water Pollution Control Act

Type of Enforcement Action Notice of Violation

Description of the Violation Violations of BOD<sub>5</sub>, COD and total and fecal coliform based on the analysis of ambient waters which also receive the discharge from facility operations.

How was the violation resolved? The violations appear to be attributable to runoff from adjacent properties and significant vegetative and organic matter from the natural marshy environment. Permittee has requested different compliance points in its permit renewal to separate facility process wastewater components unrelated to facility.

B. Date of Action October 1985

Section of Law or Statute violated N.J.S.A. 23:5-28

Type of Enforcement Action Notice of Violation

Description of the Violation See item 10.B., first entry  
\$5,000.00 penalty assessment settled for \$3,000.00

How was the violation resolved? See item 10.B., first entry

4. Site Map

Is this map enclosed? X Yes (See Attachment # 5)      No

If No, state the reason \_\_\_\_\_

(Attach additional pages, if necessary)



5. Description of Operations:

Is this report enclosed? ☒ Yes (See Attachment # 6) ☐ No

If No, state the reason \_\_\_\_\_

6. Description of Building Heating System:

A. How is the Industrial Establishment currently heated? (Oil, Gas, Electric) Gas; Oil

How long has the Industrial Establishment been heated by the above fuel/energy source: 5/70 (est) years

B. Was the Industrial Establishment heated by fuel oil at any time: ☐ Yes ☒ No

Is information on the decommissioning of underground fuel oil tanks included with item No. 14 of this form?

☐ Yes ☒ No If no, explain below: No underground fuel oil tanks

located at site. 10,000 gallon aboveground tank (diked) used  
for oil storage removed in 1988.

C. Are the results of the Integrity Evaluation for Existing Underground Fuel Oil Tanks enclosed?

☐ Yes (See Attachment # \_\_\_\_\_) ☐ No If no, state the reason \_\_\_\_\_

7. Summary of Industrial Establishment Wastewater Discharges of Sanitary and/or Industrial Waste:

A. Discharge Period

From	To	Discharge Type	Treatment By
<u>1916</u>	<u>Present</u>	<u>Sanitary/Industrial</u>	<u>Septic System</u>
_____	_____	_____	_____
_____	_____	_____	_____

B. If the Industrial Establishment discharges sanitary and/or industrial wastes to a publicly-owned treatment plant, provide the name/address of that facility.

Name \_\_\_\_\_ Telephone # \_\_\_\_\_

Street Address \_\_\_\_\_

Municipality \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Date(s) of Discharge

Nature of Discharge

1. _____	_____
2. _____	_____
3. _____	_____

8. Hazardous Substance and Waste Containment Description: (Attach additional sheets if necessary)

Type of Storage Unit	Date Installed	Area or Volumetric Capacity (include units)	Material Stored	Construction Type	Location Reference	Decommissioning or Sampling Reference
All aboveground storage tanks have been decommissioned and removed from the site						

9. Hazardous Substance/Waste Inventory:

Material Name	Quantity (indicate units)	Location Reference	Storage Method Container Type/Size	Typical Annual Usage	To Remain on Site (Yes or No)
See Attachment 7					

10. Discharge History of Hazardous Substances and Wastes:

A. Have there been any discharges of hazardous substances and wastes?

☒ Yes (Complete Item B below) ☐ No (Go to Item 10C)

B. Summary of Discharges and Resolutions

<u>Description of Discharge Event</u>	<u>Response and Resolutions</u>
<u>10/7/85 Discharge of 4,000 gal. of hydrochloric acid from a ruptured tank.</u>	<u>Spill contained by diking within a drainage ditch, neutralized, and removed. No further action taken per NJDEPE direction.</u>
<u>3/1/90 malfunctioning valve resulting in slow leak of sulfuric acid in diked area.</u>	<u>Valve repaired; tank pumped out; liquid spillage neutralized; soil excavated. Post-excavation soil sampling indicating pH of 6.8-7.6. S.U. submitted to NJDEPE. No further action required by NJDEPE.</u>

C. Is this Industrial Establishment subject to Spill Prevention Control and Countermeasure (SPCC) per 40 CFR Part 112 or Discharge Prevention, Containment and Countermeasure (DPCC) Plan per NJAC 7:1E-4.1 requirements?

☒ Yes ☐ No A copy of the Plan(s) may be required at the discretion of the Department.

11. Sampling Plan Proposal

A. Is sampling proposed at the facility? ☐ Yes (See Attachment #\_\_\_\_\_) ☒ No

If sampling is not proposed, please explain below. (Attach additional sheets if necessary)

Site sampling was proposed and executed in the Remedial Investigation phase of the RI/FS being conducted under the Administrative Consent Order (ACO) entered into between NJDEPE and SCCC on October 20, 1989. The ACO is administered by the NJDEPE Bureau of Case Management.

B. Is groundwater sampling proposed? ☐ Yes ☒ No

Note: If groundwater sampling is proposed under the plan, you must complete ECRA Form 002A "Request for Hydrogeologic Assessment" and submit it with the application.

See 11.A.

12/87

## 12. Decontamination/Decommissioning Plan

A. Is the facility Decontamination/Decommissioning Plan enclosed?

☒ Yes (See Attachment # \_\_\_\_\_) ☒ No

B. If no, specify why decontamination/decommissioning is not considered necessary.

Decontamination/decommissioning plan to be developed as part  
of Feasibility Study Phase of RI/FS being performed pursuant  
to October 20, 1988 ACO

## 13. Historical Data on environmental quality at the Industrial Establishment

A. Were sampling results obtained on Environmental Quality for the Industrial Establishment?

☒ Yes (See Attachment # \_\_\_\_\_) ☐ No

B. If sampling results were obtained but are not part of this application, please explain below:

Cloroben data previously submitted on DMRs for NJPDES  
permit and pursuant to October 20, 1989 ACO. Other  
responsible parties have submitted data to NJDEPE pursuant  
to other regulatory proceedings

14. List any other information you are submitting or which has been formally requested by the Department:

<u>Description</u>	<u>Attachment #</u>
_____	_____
_____	_____
_____	_____
_____	_____

**FEE CHECKLIST**

Include below a breakdown of the total fee submitted with this application. (See N.J.A.C. 7:26B-1.10 for the appropriate fees.)

<u>Item</u>	<u>Amount (\$)</u>
1. Initial Notice Review	
i. Without Sampling Plan	<u>\$750.00</u>
ii. With Sampling Plan that includes only underground storage tank analysis without groundwater monitoring	_____
iii. With Sampling Plan other than ii. above or iv. below	_____
iv. With Sampling Plan that includes any groundwater monitoring	_____
2. Sampling Data Review	_____
3. Negative Declaration Review	_____
4. Cleanup Plan Review	_____
5. Oversight of Cleanup Plan Implementation	_____
<b>TOTAL FEE ENCLOSED</b>	<b><u>\$ 750.00</u></b>

ARE FEES ENCLOSED? ☒ YES

12/87

## CERTIFICATIONS:

- A. The following certification shall be signed by the highest ranking individual at the site with overall responsibility for that site or activity. Where there is no individual at the site with overall responsibility for that site or activity, this certification shall be signed by the individual having responsibility for the overall operation of the site or activity.

*I certify under penalty of law that the information provided in this document is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of N.J.S.A. 13:1K-6 et seq. I am personally liable for the penalties set forth at N.J.S.A. 13:1K-13*

Typed/Printed Name Louis P. Wiener Title President  
 Signature [Signature] Date 14 June 1993

Sworn to and Subscribed Before Me

on this 14th  
 Date of JUNE 1993

[Signature]  
 Notary

NOTARY PUBLIC OF NEW JERSEY

My Commission Expires May 14, 1996

- B. The following certification shall be signed as follows:

1. For a corporation, by a principal executive officer of at least the level of vice president;
2. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
3. For a municipality, State, Federal or other public agency, by either a principal executive officer or ranking elected official.

*I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate, or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of N.J.S.A. 13:1K-6 et seq. I am personally liable for the penalties set forth at N.J.S.A. 13:1K-13*

Typed/Printed Name Louis P. Wiener Title President  
 Signature [Signature] Date 14 June 1993

Sworn to and Subscribed Before Me

on this 14th  
 Date of JUNE 1993

[Signature]  
 Notary

NOTARY PUBLIC OF NEW JERSEY

My Commission Expires May 14, 1996

## OPERATOR/OWNER HISTORY\*

<u>NAME</u>	<u>OWNER/ OPERATOR</u>	<u>FROM</u>	<u>TO</u>	<u>CURRENT ADDRESS</u>
Thomas A. Edison, Co.	Owner		1925	
Edison Storage Battery Co.	Owner	1925	1947 (1959?)	
Emark Battery Corp.	Operator	Sometime during period 1925-1947 (1959?)		
Crown Rubber Products Inc.	Owner	1947-1959	1959	
Keaton Rubber Co.	Owner	1959	1962	
Tanatex Chemical Corp.	Operator	1959	1962	Sybron Chemicals Inc. P.O. Box 66 Birmingham, NJ 08011
Standard Chlorine Chemical Co.	Owner	1962	Present	

\* Based on available information obtained by reasonably diligent efforts.

### DESCRIPTION OF PAST OPERATIONS

The Thomas A. Edison Co., the Edison Storage Battery Co. and Emark Battery Corp. were manufacturers of batteries. Both acid and lead-lined acid equipment were used on site by these companies. Crown Rubber Products Inc. and Keaton Rubber Co. were manufacturers of insulating raw rubber parts, including electrical insulators and electrical rubber plugs. These activities are believed to have involved the use of rubber, various vulcanizing agents, antioxidants and mineral fillers.

Tanatex Chemical Corporation was a producer of dye carriers for the textile industry. Processes used by Tanatex are believed to have involved the use of various surfactants and solvents, including methylnepthalenes, alkylated naphthalenes, trichlorobenzenes, dichlorobenzenes, biphenyl and other common dye carrier solvents.

Finally, from 1962 to 1982, Standard Chlorine Chemical Co., Inc. ("SCC") processed bulk dichlorobenzenes to make paradichlorobenzene solids and liquid technical orthodichlorobenzene at the site. Paradichlorobenzene was screened and packaged in 1, 50 and 300 pound containers; orthodichlorobenzene was contained in bulk storage prior to sale or further use by SCC or its subsidiaries. Until 1985, SCC also stored bulk dichlorobenzene mixtures on site, and received and stored bulk hydrochloric acid for local bulk distribution.

## AIR POLLUTION CONTROL PERMITS/CERTIFICATES

<u>Permit #</u>	<u>Designation</u>	<u>Stack #</u>	<u>Original App. Date</u>	<u>Current Exp. Date</u>	<u>Status of Equipment</u>
030263	Cleaver Brooks Boiler #1	003	03/07/77	09/01/91	out of service
030267	Cleaver Brooks Boiler #3	005	03/07/77	09/01/91	removed
065590	Tank 18 Vent	010		09/15/88	removed
065591	Tank 19 Vent	011		09/15/88	removed
065592	Tank 20 Vent	012		09/15/88	removed
065593	Tank 25 Vent	013	09/15/83	09/15/93	removed



Standard Chlorine Chemical Co., Inc.  
 Site Name 1035 Belleville Turnpike  
Kearny, NJ 07032-0602

EPA ID No. N J D 002 175 057

## OFFICIAL USE ONLY

Ann. Fee \_\_\_\_\_

RA \_\_\_\_\_

Date \_\_\_\_\_

Rec'd By \_\_\_\_\_

## 1991 FEE VERIFICATION WORKSHEET

**INSTRUCTIONS:** Complete the below fee category information. If your site is required to submit a fee, then attach the check were indicated.

Attach check here (do not send cash)

Make Payable to: Treasurer State of New Jersey

Mail Report to: NJDEPE, Bureau of Revenue  
 CN417  
 428 East State Street  
 Trenton, NJ 08625-0417  
 Attention: Manifest Section

## Fee Category

- ☐ No Fee This site (company) manifested less than 1.33 tons of hazardous waste for the calendar year .
- ☒ \$200.00 This site (company) manifested 1.33 tons or more of hazardous waste but less than 10 tons of hazardous waste during the calendar year.
- ☐ \$300.00 This site (company) manifested 10 tons or more of hazardous waste but less than 100 tons of hazardous waste during the calendar year.
- ☐ \$400.00 This site (company) manifested 100 tons or more of hazardous waste during the calendar year.
- ☐ \$\_\_\_\_\_ Other, the attached check is for multiple sites as identified on the reverse side of this form.

### CONVERSION TABLE

- Tons = Gallons (G) x  $\frac{8.34}{2000}$
- = Pounds (P) divided by 2000
- = Cubic Yards (Y) x  $\frac{1684.8}{2000}$
- = Liters (L) x  $\frac{2.203}{2000}$
- = Kilograms (K) x  $\frac{2.204}{2000}$

If the check attached is for multiple sites, then list below the EPA Identification Number for each site with each site's appropriate fee indicated.

EPA ID No.	FEE
Site 1 <u>NJD 002 175 057</u>	\$ <u>200.00</u>
Site 2 _____	\$ _____
Site 3 _____	\$ _____
Site 4 _____	\$ _____
Site 5 _____	\$ _____

Total as recorded on the attached check \$ 200.00

## BEFORE COPYING FORM,

ENTER:

Standard Chlorine Chemical Co., Inc.

SITE NAME 1035 Belleville Turnpike

Kearny, NJ 07032-0602

EPA ID NO.

NJ10101211715101517

1991 Hazardous Waste Report

FORM

IC

IDENTIFICATION AND  
CERTIFICATION

INSTRUCTIONS: Read the detailed instructions beginning on page 6 of the 1991 Hazardous Waste Report booklet before completing this form.

SEC. I Site name and location address. Complete items A through H. Check the box ☒ in items A, C, E, F, G, and H if same as label; if different, enter corrections. If label is absent, enter information. Instruction page 6

A. EPA ID No. Same as label <input checked="" type="checkbox"/> or →		B. County Hudson County
C. Site/company name Same as label <input checked="" type="checkbox"/> or →		D. Has the site name associated with this EPA ID changed since 1987? <input checked="" type="checkbox"/> 1 Yes <input checked="" type="checkbox"/> 2 No
E. Street name and number. If not applicable, enter industrial park, building name or other physical location description. Same as label <input checked="" type="checkbox"/> or →		
F. City, town, village, etc. Same as label <input checked="" type="checkbox"/> or →	G. State Same as label <input checked="" type="checkbox"/> NJ	H. Zip Code Same as label <input checked="" type="checkbox"/> 07101-3121-01610121

SEC. II Mailing address of site. Instruction page 6

A. Is the mailing address the same as the location address? <input type="checkbox"/> 1 Yes (GO TO SEC. III) <input type="checkbox"/> 2 No (GO TO BOX B)		
B. Number and street name of mailing address		
C. City, town, village, etc.	D. State NJ	E. Zip Code 07101-3121-01610121

SEC. III Name, title, and telephone number of the person who should be contacted if questions arise regarding this report. Instruction page 6

A. Please print: Last name Stufano	First name Nicola	ML A.	B. Title Director - Special Proj.	C. Telephone 21011 91917-117100 Extension 12124
---------------------------------------	----------------------	----------	---	---

SEC. IV Enter the Standard Industrial Classification (SIC) Code that describes the principal products, group of products, produced or distributed, or the services rendered at the site's physical location. Enter more than one SIC Code only if no one industry description includes the combined activities of the site. Instruction page 7

A. 218142	B. 1111A	C. 1111A	D. 1111A
-----------	----------	----------	----------

SEC. V I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties under Section 3008 of the Resource Conservation and Recovery Act for submitting false information, including the possibility of fine and imprisonment for knowing violations.

A. Please print: Last name Stufano	First name Nicola	ML A.	B. Title Director-Special Projects
C. Signature Nicola A. Stufano			D. Date of signature 012 217 1912 MO DAY YR

Page 1 of 11

OVER →

Sec. VI - Generator Status		EPA ID NO. <u>N J 0   0 1 0 1 2   1 1 7 5   0 1 5 1 7</u>																																																																	
<b>A. 1991 Generator status</b> Instruction page 7 (CHECK ONE BOX BELOW)		<b>B. Reason for not generating</b> Page 8 (CHECK ALL THAT APPLY)																																																																	
<input checked="" type="checkbox"/> 1 FRG/LOG <input type="checkbox"/> 2 FRG (SKIP TO SEC. VII) <input type="checkbox"/> 3 SOG <input type="checkbox"/> 4 Non generator (CONTINUE TO BOX B)		<input type="checkbox"/> 1 Never generated <input type="checkbox"/> 2 Out of business <input type="checkbox"/> 3 Only excluded or deferred waste <input type="checkbox"/> 4 Only non-hazardous waste <input type="checkbox"/> 5 Periodic or occasional generator <input type="checkbox"/> 6 Waste minimization activity <input type="checkbox"/> 7 Other (SPECIFY COMMENTS IN BOX BELOW)																																																																	
Sec. VII - On-Site Waste Management Status																																																																			
<b>A. Hazardous waste permit or interim status storage</b> Instruction page 10 <div style="text-align: center;">1</div>		<b>B. Hazardous waste permit or interim status treatment, disposal, or recycling</b> Page 10 <div style="text-align: center;">1</div>																																																																	
		<b>C. Hazardous waste-exempt treatment, disposal, or recycling</b> Page 11 <div style="text-align: center;">3</div>																																																																	
Sec. VIII - Waste Minimization Activity during 1990 or 1991																																																																			
<b>A. Did this site begin or expand a source reduction activity during 1990 or 1991?</b> Instruction page 11 <input type="checkbox"/> 1 Yes <input checked="" type="checkbox"/> 2 No		<b>B. Did this site begin or expand a recycling activity during 1990 or 1991?</b> Page 12 <input type="checkbox"/> 1 Yes <input checked="" type="checkbox"/> 2 No																																																																	
		<b>C. Did this site systematically investigate opportunities for source reduction or recycling during 1990 or 1991?</b> Page 12 <input type="checkbox"/> 1 Yes <input type="checkbox"/> 2 No																																																																	
<b>D. Did any of the factors listed below delay or limit this site's ability to initiate new or additional source reduction activities in 1990 or 1991?</b> Page 12 (CHECK YES OR NO FOR EACH ITEM)																																																																			
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<b>Comments:</b> Clean up activities and interim remedial actions are the major sources of our hazardous waste.																																																																			

## BEFORE COPYING FORM

ENTER: Standard Chlorine Chemical Co., Inc.  
 SITE NAME 1035 Belleville Turnpike  
 Kearny, NJ 07032-0602

EPA ID NO.

N J D 0 0 2 4 7 5 0 5 7

FORM  
GM

1991 Hazardous Waste Report

WASTE GENERATION AND  
MANAGEMENT

INSTRUCTIONS: Read the detailed instructions beginning on page 13 of the 1991 Hazardous Waste Report booklet before completing this form.

Sec. I	A. Waste description Instruction Page 15 Filling machine equipment rinsate, Hydrochloric Acid, and Sulfuric Acid wash solution at low concentration (less than 0.1% pH 1-3) were neutralized and contained in drums.				
B. EPA hazardous waste code Page 16 1 D 1 0 1 0 1 2			C. State hazardous waste code Page 16 N A		
D. SIC code Page 16 2 8 4 2	E. Origin code Page 16 System type 1 M I N A	F. Source code Page 17 1 A 3 1	G. Point of measurement Page 17 1	H. Form code Page 17 1 8 1 0 5	I. RCRA-radioactive waste Page 17 2
J. Reported TPA correction Page 18 1 3	K. CAS numbers Page 18 7 6 6 4 - 9 3 - 9 7 6 4 7 - 0 1 - 0				

Sec. II	A. Quantity generated in 1991 Instruction Page 19 3 0 0 0		B. Quantity generated in 1991 Page 19 1 8 7 0 1 0	C. UCM Page 19 5 8 . 6 <input checked="" type="checkbox"/> 1 kg/d <input type="checkbox"/> 2 kg	D. Did this site do any of the following to this waste: test on site, dispose on site, recycle on site, or discharge to a water body? Page 19 <input checked="" type="checkbox"/> 1 Yes (CONTINUE TO SECTION 3) <input type="checkbox"/> 2 No (GO TO SEC. IV)
ON-SITE SYSTEM 1 On-site system type Page 20 1 M I 2 1		Quantity treated, disposed or recycled on site in 1991 1 8 7 9 9		ON-SITE SYSTEM 2 On-site system type Page 20 1 M I F A	

Sec. III	A. Was any of this waste shipped off site in 1991? Instruction Page 20 <input checked="" type="checkbox"/> 1 Yes (CONTINUE TO BOX B) <input type="checkbox"/> 2 No (GO TO SEC. IV)				
Site 1	B. EPA ID No. of facility waste was shipped to Page 20	C. System type shipped to Page 20 1 M I	D. Off-site availability code Page 21	E. Total quantity shipped in 1991 Page 21	
Site 2	B. EPA ID No. of facility waste was shipped to Page 20	C. System type shipped to Page 20 1 M I	D. Off-site availability code Page 21	E. Total quantity shipped in 1991 Page 21	

Sec. IV	A. Did new activities in 1991 result in elimination of this waste? Instruction Page 22 <input type="checkbox"/> 1 Yes (CONTINUE TO BOX B) <input checked="" type="checkbox"/> 2 No (THIS FORM IS COMPLETE)				
B. Activity Page 22 1 W 1 6 1 3 1 W 1 6 4	C. Other activity Page 22 <input type="checkbox"/> 1 Yes <input checked="" type="checkbox"/> 2 No	D. Quantity recycled in 1991 due to new activities Page 23 1 N A 1	E. Activity/production index Page 23 1 N A 1	F. 1991 Source reduction quantity Page 24 1 2 3 0	

Comments: Section IV, Box F - Annual reduction not based on production index.

## WASTE GENERATION AND MANAGEMENT

**Attachment**

Attach a list of hazardous waste manifests for this form. The list must include the uniform hazardous waste manifest document number and the date of the shipment. The back of Form GM may be used for this purpose.

**Document Number**

PAC 3927980

**Date Shipped**

07/26/91 - Waste 011

**FORM**  
**GM**

## WASTE GENERATION AND MANAGEMENT



**Attachment**

Attach a list of hazardous waste manifests for this form. The list must include the uniform hazardous waste manifest document number and the date of the shipment. The back of Form GM may be used for this purpose.

**Document Number**

NJA 1030609

**Date Shipped**

03/13/91 - Transformer Oil  
less than 500 ppm PCB

BEFORE COPYING FORM

ENTER: Standard Chlorine Chemical Co., Inc.

SITE NAME 1035 Belleville Turnpike

Kearny, NJ 07032-0602

EPA ID NO.

NJ010121175057

FORM  
GM

1991 Hazardous Waste Report

WASTE GENERATION AND  
MANAGEMENT

INSTRUCTIONS: Read the detailed instructions beginning on page 13 of the 1991 Hazardous Waste Report booklet before completing this form.

Sec. I	A. Waste description Instruction Page 18 Drained electrical equipment (transformer carcass less than 1 pound PCB)				
B. EPA hazardous waste code Page 16 NA NA INIA INIA INIA			C. State hazardous waste code Page 16 K171512		
D. SIC code Page 16 28142	E. Origin code Page 16 2 System type MINIA	F. Source code Page 17 A1913	G. Point of measurement Page 17 11	H. Form code Page 17 181119	I. RCRA-radioactive mixed Page 17 12
J. Reported TPI consultant Page 16 2		K. CAS numbers Page 16 NA- - - - - NA- - - - - NA- - - - - INIA- - - - - INIA- - - - -			

Sec. II	A. Quantity generated in 1989 Instruction Page 18 NA	B. Quantity generated in 1991 Page 18 XXXXX2659.0	C. UCM Page 18 3 Density 1 lb/gal 2 kg	D. Did this site do any of the following in this waste: treat on site, dispose on site, recycle on site, or discharge to a canal/POTW? Page 18 <input type="checkbox"/> 1 Yes (CONTINUE TO SYSTEM 1) <input checked="" type="checkbox"/> 2 No (GO TO SEC. III)
ON-SITE SYSTEM 1 On-site system type Page 18 M1		ON-SITE SYSTEM 2 On-site system type Page 18 M1		

Sec. III	A. Was any of this waste shipped off site in 1991? Instruction Page 20 <input checked="" type="checkbox"/> 1 Yes (CONTINUE TO BOX II) <input type="checkbox"/> 2 No (GO TO SEC. IV)			
Site 1	B. EPA ID No. of facility waste was shipped to Page 20 NJ010121175057	C. System type shipped to Page 20 MI0119	D. Off-site availability code Page 21 11	E. Total quantity shipped in 1991 Page 21 XXXXXXXXX2659.0
Site 2	B. EPA ID No. of facility waste was shipped to Page 20	C. System type shipped to Page 20	D. Off-site availability code Page 21	E. Total quantity shipped in 1991 Page 21

Sec. IV	A. Did new activities in 1991 result in minimization of this waste? Instruction Page 22 <input type="checkbox"/> 1 Yes (CONTINUE TO BOX II) <input checked="" type="checkbox"/> 2 No (THIS FORM IS COMPLETE)			
B. Activity Page 22 W1 W1 W1 W1	C. Other effects Page 22 <input type="checkbox"/> 1 Yes <input type="checkbox"/> 2 No	D. Quantity recycled in 1991 due to new activities Page 23	E. Activity/production index Page 23	F. 1991 Source reduction quantity Page 24

Comments: Transformer carcass.

**Attachment**

Attach a list of hazardous waste manifests for this form. The list must include the uniform hazardous waste manifest document number and the date of the shipment. The back of Form GM may be used for this purpose.

**Document Number**

NJA 0966204

**Date Shipped**

03/13/91 - Transformer carcass

## BEFORE COPYING FORM,

ENTER Standard Chlorine Chemical Co., Inc.

SITE NAME 1035 Belleville Turnpike

Kearny, NJ 07032-0602

EPA ID NO.

NJ010121171501517

1991 Hazardous Waste Report

FORM  
PSWASTE TREATMENT, DISPOSAL,  
OR RECYCLING PROCESS  
SYSTEMS

INSTRUCTIONS: Read the detailed instructions beginning on page 32 of the 1991 Hazardous Waste Report booklet before completing this form.

Sec.  
IA. Waste treatment, disposal or recycling system description  
Instruction Page 38Equalization and neutralization of D-002 and other influents for NPDES NJ 0001856  
pending application approval to constructB. System type  
Page 38

M1121

C. Regulatory status  
Page 38

02

D. Operational status  
Page 38

05

E. Unit type  
Page 38

01

Sec.  
IIA. 1991 Influent quantity  
Instruction Page 40

UCM Density

Total 11111111111111111111

RCRA 11111111111111111111

State 11111111111111111111

B. Maximum operational capacity  
Page 41

Total 11111111111111111111

RCRA 11111111111111111111

State 11111111111111111111

C. 1991 Liquid effluent quantity  
Page 42

UCM Density

Total 11111111111111111111

RCRA 11111111111111111111

State 11111111111111111111

D. 1991 Solid/sludge residual quantity  
Page 43

UCM Density

Total 11111111111111111111

RCRA 11111111111111111111

State 11111111111111111111

E. Limitations on maximum operational capacity  
Page 44

11112111111111111111

F. Commercial capacity availability code  
Page 44

11

G. Percent capacity currently available  
Page 45

11111111111111111111

Sec.  
IIIA. Planned change in maximum operational capacity  
Instruction Page 46☒ 1 Yes (CONTINUE TO BOX B)  
☐ 2 No (THIS FORM IS COMPLETE)B. New maximum operational capacity  
Page 46

UCM

Total 11111111111111111111

RCRA 11111111111111111111

State 11111111111111111111

C. Planned year of change  
Page 46

1119121

D. Future commercial capacity availability code  
Page 46

11

E. Percent future capacity currently available  
Page 46

11111111111111111111

Comments: - Section III, Box B, the operational capacity per day is 1,545 gallons at 8.4 lbs./gal.  
- Section III, Box C, planned for 1992 yet no approvals as of 2/25/92.

**ENTER**

**SITE NAME**

Standard Chlorine Chemical Co., Inc  
1035 Belleville Turnpike  
Kearny, NJ 07032-0602

EPA ID NO.

18.1.10	10.10.12	11.7.5	0.15.17
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**FORM**

01

1991 Hazardous Waste Report

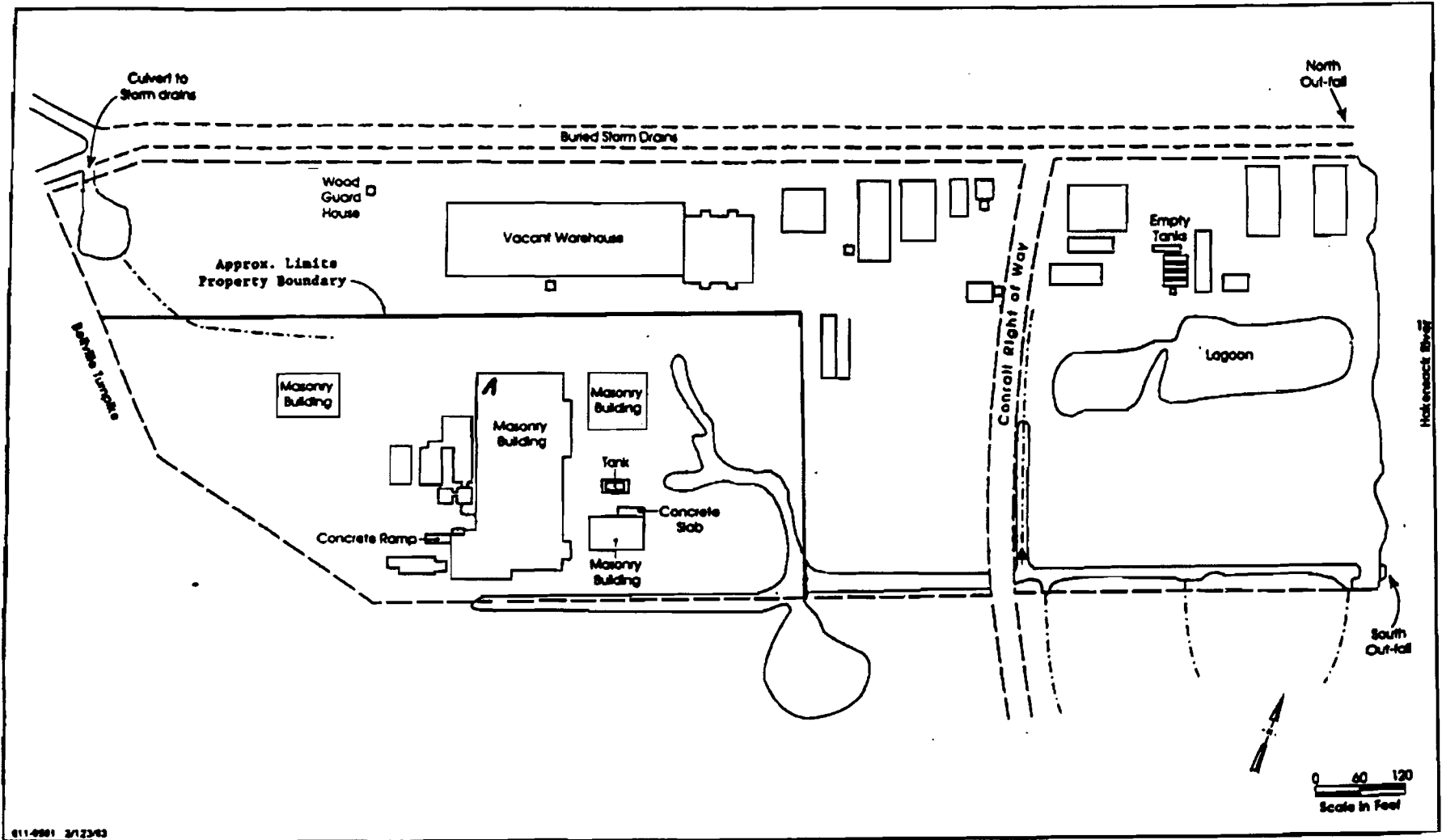
### OFF-SITE IDENTIFICATION

**INSTRUCTIONS:** Read the detailed instructions on the back of this page before completing this form.

Site 1	A. EPA ID No. of off-site installation or transporter P1A1D106143171541710	B. Name of off-site installation or transporter Delaware Container Co., Inc.
C. Handler type (CHECK ALL THAT APPLY) <input type="checkbox"/> Generator <input type="checkbox"/> Transporter <input checked="" type="checkbox"/> TSDR	D. Address of off-site installation Street West 11th Ave. & Valley Road City Coatsville State PA Zip Code 19320	
Site 2	A. EPA ID No. of off-site installation or transporter P1A1D1098114113749	B. Name of off-site installation or transporter P P M Inc.
C. Handler type (CHECK ALL THAT APPLY) <input type="checkbox"/> Generator <input type="checkbox"/> Transporter <input checked="" type="checkbox"/> TSDR	D. Address of off-site installation Street 4105 Whitaker Ave. City Philadelphia State PA Zip Code 19112	
Site 3	A. EPA ID No. of off-site installation or transporter N111D101111371051215	B. Name of off-site installation or transporter G&S Motor Equipment Co. Inc.
C. Handler type (CHECK ALL THAT APPLY) <input type="checkbox"/> Generator <input type="checkbox"/> Transporter <input checked="" type="checkbox"/> TSDR	D. Address of off-site installation Street 1800 Harrison Ave. City Kearny State NJ Zip Code 07032	
Site 4	A. EPA ID No. of off-site installation or transporter	B. Name of off-site installation or transporter
C. Handler type (CHECK ALL THAT APPLY) <input type="checkbox"/> Generator <input type="checkbox"/> Transporter <input type="checkbox"/> TSDR	D. Address of off-site installation Street City State Zip Code	
Site 5	A. EPA ID No. of off-site installation or transporter	B. Name of off-site installation or transporter
C. Handler type (CHECK ALL THAT APPLY) <input type="checkbox"/> Generator <input type="checkbox"/> Transporter <input type="checkbox"/> TSDR	D. Address of off-site installation Street City State Zip Code	

**Comments:**

## SITE MAP



## DESCRIPTION OF OPERATIONS

Cloroben Chemical Corporation ("Cloroben"), a Standard Chlorine Chemical Company ("SCC") subsidiary, formerly operated a small batch formulation and blending operation at the site producing various solvent and inorganic chemicals for use in cleaning drains and sewers. From 1963 to 1987, orthodichlorobenzene was blended with soap and surfactants to make an emulsifiable drain chemical. From 1982 to 1990, methylbenzoate blends were produced for the same end use, and from 1990 to March 1993, terpene solvent blends were used for the same end use. Other drain cleaner products were formulated from sulfuric acid and hydrochloric acid. Miscellaneous caustic-based drain cleaners and bacteria enzyme blends were also blended and packaged at the site. Caustic soda, caustic potash, alkaline salts of the detergent family, aluminum dross, and bacterial cultures were used in these formulas.

The production process for solvent-based products involved transfer of the solvent and surfactant from aboveground storage tanks to a 3,000 gallon batch mix tank. The materials were mechanically blended to a homogeneous mixture and transferred to a final product storage tank. The product was sent to a filling machine for packaging in containers ranging in size from one pint to 55 gallons. Acid-based products were stored in bulk in aboveground storage tanks and were transferred directly to the filling machines for packaging in quart, half gallon and one gallon plastic containers. These packaged goods were stored until commercially distributed.

# HAZARDOUS SUBSTANCE/WASTE INVENTORY

<u>MATERIAL NAME</u>	<u>QUANTITY (INDICATE UNITS)</u>	<u>LOCATION REFERENCE</u> <sup>1</sup>	<u>STORAGE METHOD CONTAINER TYPE/SIZE</u> <sup>2</sup>	<u>TYPICAL ANNUAL USAGE</u> <sup>3</sup>	<u>TO REMAIN ON SITE (YES OR NO)</u> <sup>4</sup>
Sulfuric Acid	3 drums		Plastic drums/55 gal.		
Cloroben Open-Wide (Sodium Hydroxide/ sodium percarbonate)	8 drums		1		
Cloroben Aid-Ox (Sodium Percarbonate)	2,660 lbs.		Plastic containers/1 gal., 5 gal.; steel drums/ 55 gal.		

<sup>1</sup> All materials presently stored in the northwest corner of building #2, identified as location A on the site map.

<sup>2</sup> Unless otherwise indicated, storage type/size is as follows:

1. steel drums/55 gal.
2. fiber drums/30 gal.
3. metal pails/5 gal.
4. glass bottles/4 oz.
5. glass bottles/1 lb.

<sup>3</sup> Not applicable; production has ceased.

<sup>4</sup> All materials to be removed from site.



<u>MATERIAL NAME</u>	<u>QUANTITY (INDICATE UNITS)</u>	<u>LOCATION REFERENCE</u> <sup>1</sup>	<u>STORAGE METHOD CONTAINER TYPE/SIZE</u> <sup>2</sup>	<u>TYPICAL ANNUAL USAGE</u> <sup>3</sup>	<u>TO REMAIN ON SITE (YES OR NO)</u> <sup>4</sup>
Cloroben Chloroclean (Sodium Hydroxide/ aluminum)	2 pails		Plastic pails/10 gal., 5 gal.		
Sodium Nitrate	1 drum		2		
Naphthalene	1 drum		1		
Paints/coatings	17 containers		Steel drum/30 gal.; pails/5 gal.; cans/1 gal.; plastic bottles/quart		
Activated Alumina	8 drums		2		
Oxalic Acid	1 bag		Plastic bag/50 lb.		
Sodium Sulfite	1 drum		2		
Ammonium Sulfate	2 bags		Bags/100 lb.		
Solvent/Perfume mixture	1 drum		1		
Solvent/ Surfactant blend	1 drum		1		
Chlorinated hydrocarbon/ surfactant blend	1 drum		1		
Sulfuric Acid/ Calcium Silicate mixture	1 drum		1		
Pentachlorophenol	1 pail		3		
Para Nitrochloro- benzene	1 pail		3		

<u>MATERIAL NAME</u>	<u>QUANTITY (INDICATE UNITS)</u>	<u>LOCATION REFERENCE</u> <sup>1</sup>	<u>STORAGE METHOD CONTAINER TYPE/SIZE</u> <sup>2</sup>	<u>TYPICAL ANNUAL USAGE</u> <sup>3</sup>	<u>TO REGAIN ON SITE (YES OR NO)</u> <sup>4</sup>
Cadmium Sulfate	< 2 oz.		glass bottle/2 oz.		
Mercoptobenzo- thiazole	< 8 oz.		glass bottle/8 oz.		
Chromium Trioxide	< 1 lb.		glass bottle/1 lb.		
Arsenic Trioxide	< 4 oz.		4		
Barium silicon fluoride	< 6 oz.		glass bottle/6 oz.		
Barium diphenyl amine sulfonate	< 1 oz.		glass bottle/1 oz.		
Arsenic Acid	< 4 oz.		4		
Lead Acetate	< 5 lb.		glass bottle/5 lb.		
Barium Chloride	< 1 lb.		5		
Cadmium Chloride	< 1 lb.		5		
Sulfur	< 1 lb.		5		
Lithium Carbonate	< 1 lb.		5		
Sodium in Naphtha, 50%	< 2 cans		metal cans/2 lb.		
Hexachlorophene	< 1 oz.		glass bottle/1 oz.		
Cobaltous nitrate	< 4 oz.		glass bottle/1 oz.		
Glyco GSD 550, Dimethyl	2 jars		glass jars/1 lb.		

<u>MATERIAL NAME</u>	<u>QUANTITY (INDICATE UNITS)</u>	<u>LOCATION REFERENCE</u> <sup>1</sup>	<u>STORAGE METHOD CONTAINER TYPE/SIZE</u> <sup>2</sup>	<u>TYPICAL ANNUAL USAGE</u> <sup>3</sup>	<u>TO REMAIN ON SITE (YES OR NO)</u> <sup>4</sup>
Br-Cl Hydantoin Glyco DCDMH Hydantoin	1 jar		5		
Glyco Glybrom	1 jar		5		
Lithium Hypochlorite	2 jars		5		
Sodium Chlorite	2 jars		glass jar/2 lb.		
Cyanuric Acid, iso	2 jars		glass jar/2 lb.		
Mercury	1 bottle		5		
Aluminum Dross	2 lbs.		Plastic bag		
Manganese powder	< 1 bottle		5		
Cuprous Chloride	1 lb.		5		
Sodium Bromide	1 lb.		5		
Sodium Dichromate	1 lb.		5		
Sodium Fluoride	2 oz.		glass bottle/2 oz.		
Stannous Chloride	1 lb.		5		
Thiourea	1 lb.		5		
Calcon	250 gm.		glass bottle/250 gm.		
Biopal VRO-20 (20% available iodine)	1 bottle		glass bottle/8 oz.		

<u>MATERIAL NAME</u>	<u>QUANTITY (INDICATE UNITS)</u>	<u>LOCATION REFERENCE</u> <sup>1</sup>	<u>STORAGE METHOD CONTAINER TYPE/SIZE</u> <sup>2</sup>	<u>TYPICAL ANNUAL USAGE</u> <sup>3</sup>	<u>TO REMAIN ON SITE (YES OR NO)</u> <sup>4</sup>
Corbotech 99	2 bottles		4		
Corbotech 100	2 bottles		4		
Nacap	2 lbs.		4		
Ottasept	4 oz.		4		
Preventol C14 (Sodium 2 - Mercapto Benzo- thiazole 50%)	1 quart		plastic bottle/1 qt.		
Mercapto- benzothiazole powder	2 bottles		glass bottles/2 lb.		
Disodium 2,5 Dimercapto 1,3,4 Thiadiazole	1 bottle		5		
Ammonium Bifloride	1 bottle		5		
Ammonium Iron Sulfate	1 bottle		5		
Chromium Metalium	1 bottle		5		
Ferrous Ammonium Sulfate	2 bottles		4		
Ferric Chloride	1 bottle		4		
Molybdic Acid	2 bottles		5		
Potassium Bromide	1 bottle		4		

<u>MATERIAL NAME</u>	<u>QUANTITY (INDICATE UNITS)</u>	<u>LOCATION REFERENCE</u> <sup>1</sup>	<u>STORAGE METHOD CONTAINER TYPE/SIZE</u> <sup>2</sup>	<u>TYPICAL ANNUAL USAGE</u> <sup>3</sup>	<u>TO REMAIN ON SITE (YES OR NO)</u> <sup>4</sup>
Potassium Chromate	1 bottle		4		
Potassium Cyanide	1 bottle		4		
Potassium Ferrocyanide	1 bottle		4		
Potassium Iodide	1 bottle		4		
Potassium Nitrate	1 bottle		4		
Various liquid and dry caustic lab blends	1 box		box with glass bottles/4 oz. and 8 oz.		